

739 KAR 2:120. Notification of merger or splitting of volunteer fire districts.

RELATES TO: KRS 65.182, 95A.530

STATUTORY AUTHORITY: KRS 95A.530

NECESSITY, FUNCTION, AND CONFORMITY: KRS 95A.530 requires the commission to promulgate an administrative regulation describing the manner in which volunteer fire districts shall notify the commission of a merger or splitting of a volunteer fire district. This administrative regulation establishes the manner in which volunteer fire districts shall notify the commission of a merger or splitting of a volunteer fire district.

Section 1. Definition. "Volunteer fire district" means a fire protection district or a volunteer fire department district created in accordance with the procedures of KRS 65.182.

Section 2. Notification Procedure. (1) Prior to the merger or split of two (2) or more volunteer fire departments, each volunteer fire district involved in the merger or split shall submit to the division director of the commission:

- (a) A letter of agreement between the two (2) or more volunteer fire districts involved in the merger or split to either merge or split, as applicable;
- (b) A detailed description and map of the new volunteer fire district boundaries created as a result of the merger or split;
- (c) A letter of agreement from or between each county judge executive of the jurisdiction or jurisdictions of the departments involved in the merger or split;
- (d) A completed Application for Fire Department Merger and Separation;
- (e) A list of the operational apparatus owned by each fire department;
- (f) Each fire department's verified tax identification number;
- (g) Inactivation letters for firefighters, if applicable; and
- (h) Each department's mission statement.

(2) The merger or split shall not be effective until approved in writing by the commission. The eligibility committee of the commission shall review and report to the commission on the fire department's Application for Fire Department Merger and Separation and other documentation submitted pursuant to this administrative regulation. The commission shall approve the application if each department created as a result of the merger complies with this administrative regulation.

Section 3. Incorporation by Reference. (1) "Application for Fire Department Merger and Separation", 2016, is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Office of the Kentucky Fire Commission, 118 James Ct., Suite 50, Lexington, Kentucky 40505, Monday through Friday, 8 a.m. to 4:30 p.m. (42 Ky.R. 2301, 2576; eff. 5-6-2016; Crt eff. 2-24-2020.)